

Assembly Bill No. 1714

Passed the Assembly July 1, 2010

Chief Clerk of the Assembly

Passed the Senate July 1, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1714, Fuentes. Claims against the state: payment.

Current law authorizes a procedure for the state to pay claims against the state.

This bill would appropriate a total of \$21,098,000 to the Department of Justice from the General Fund, and a total of \$392,000 to the Department of Justice from the Horse Racing Fund, to pay specific claims against the state. The bill would require that any appropriated funds in excess of the amount required to pay those claims revert to the funds from which the appropriations are made.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. The sum of five hundred thirty-six thousand dollars (\$536,000) is hereby appropriated from the General Fund to the Department of Justice to pay the interim attorneys fee award in *Humphries v. Lockyer, et al.*, Ninth Circuit Court of Appeals Case No. 05-56467. Any funds appropriated in excess of the amount required for the payment of this claim shall revert to the General Fund on June 30 of the fiscal year in which the payment is made.

SEC. 2. The sum of five hundred sixty-two thousand dollars (\$562,000) is hereby appropriated from the General Fund to the Department of Justice to pay the settlement in *Gardner, et al., v. Schwarzenegger, et al.*, First District Court of Appeal Case No. A125000, Alameda County Superior Court Case No. RG06278911. Any funds appropriated in excess of the amount required for the

payment of this claim shall revert to the General Fund on June 30 of the fiscal year in which the payment is made.

SEC. 3. The sum of three hundred ninety-two thousand dollars (\$392,000) is hereby appropriated from the Horse Racing Fund to the Department of Justice to pay the settlement in *Berg v. California Horse Racing Board*, Superior Court of California, County of Sacramento, Case No. 34-2008-00028104. Any funds appropriated in excess of the amount required for payment of the settlement and interest, if any, due at the time of payment shall revert to the Horse Racing Fund on June 30 of the fiscal year in which the payment is made.

SEC. 4. The sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the Department of Justice to pay the settlement of the government claims of Jaycee Dugard and each of her two minor children against the Department of Corrections and Rehabilitation. Any funds appropriated in excess of the amount required for the payment of these claims shall revert to the General Fund on June 30 of the fiscal year in which the payment is made.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay claims against the state and end hardship to claimants as quickly as possible, it is necessary that this bill go into immediate effect.

Approved _____, 2010

Governor